



PATENT

Attorney Docket No. 500991

Date: October 26, 2001

In re Application of: Mary Swarth  
 Application No.: 09/714,318  
 Filed: November 16, 2000

For: METHOD FOR BLENDING AND FABRICATING PERSONALIZED LIPSTICK

COMMISSIONER FOR PATENTS  
 Washington, D.C. 20231

Sir:

Transmitted herewith is a response to an office action in the subject application.

☐ Applicants claim small entity status of this application under 37 CFR 1.27.
Petition For Extension Of Time

- ☐ Applicants petition for a extension of time under 37 CFR 1.136, the fee for which is \$0.00 (enclosed).  
☒ Applicant believes that no petition for an extension of time is necessary. However, to the extent that such petition is deemed necessary, Applicant hereby petitions for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.
- ☐ No additional claim fee is required.
- ☒ Other: Loss of Entitlement to Small Entity Status form

The claim fee has been calculated as shown below:

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDIT. CLAIM FEE	RATE	ADDIT. CLAIM FEE
TOTAL	29	MINUS	20	=9	x 9=	\$	x 18=	\$162.00
INDEPENDENT	5	MINUS	3	=2	x 42=	\$	x 84=	\$168.00
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 140=	\$	+ 280=	\$
					TOTAL	\$	TOTAL	\$330.00

- ☐ Please charge my Deposit Account No. 12-1216 in the amount of \$ . A duplicate copy of this sheet is attached.
- ☒ A check in the amount of \$330.00 is attached.
- ☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is attached.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LEYDIG, VOIT &amp; MAYER, LTD.

By:

Andrew J. Heinisch, Reg. No. 43666  
 One of the Attorneys for Applicant(s)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mary Swaab

Serial No. 09/714,318

Filed: November 16, 2000

For: METHOD FOR BLENDING AND FABRICATING  
PERSONALIZED LIPSTICK

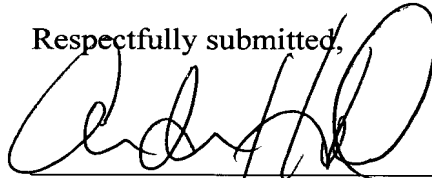
Assistant Commissioner for Patents  
Washington, D.C. 20231

**NOTIFICATION PURSUANT TO 37 C.F.R. § 1.28(c)**  
**OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS**

Dear Sir:

Applicant(s) and its assignee hereby notify the U.S. Patent and Trademark Office that they are no longer entitled to status as a small entity and that the claim for small entity status set forth in the verified statement dated September 2, 1997 and filed in the subject parent application Serial No. 08/924,196 is hereby withdrawn. The patent is subject to a license to a large entity and no longer qualifies as a small entity as defined in 37 C.F.R. § 1.9.

Respectfully submitted,



Andrew J. Heinsch, Reg. No. 43666  
One of the Attorneys for Applicant(s)  
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Date: October 29, 2001

In re Appln. of Mary Swaab  
Serial No. 09/714,318

CERTIFICATE OF MAILING

I hereby certify that this NOTIFICATION PURSUANT TO 37 C.F.R. § 1.28(c) OF  
LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS is being deposited with the  
United States Postal Service on the date shown below with sufficient postage as first class  
mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C.  
20231.

Date: 10-29-01

[Signature]